

ORIGINAL

FILED RECEIVED
ENTERED SERVED ON
CASE AND COURT RECORD

2003 MAR -3 P 3:37

CLERK U.S. DISTRICT COURT
DISTRICT OF NEVADA

BY MJ DEPUTY

Stephen W. Feingold (SF 2763)
Richard H. Brown (RB 5858)
PITNEY, HARDIN, KIPP & SZUCH LLP
685 Third Avenue
New York, New York 10017-4024
Telephone (212) 297-5800

Gary R. Goodheart, Esq.
Nevada Bar No. 001203
Patrick A. Rose, Esq.
Nevada Bar No. 005109
JONES VARGAS
6773 Howard Hughes Parkway
Third Floor South
Las Vegas, Nevada 89109
Telephone (702) 862-3300
Facsimile (702) 737-7705

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CAESARS WORLD, INC. and PARK PLACE
ENTERTAINMENT CORPORATION,

Plaintiffs,

v.

CYRUS MILANIAN, and THE NEW LAS
VEGAS DEVELOPMENT COMPANY, L.L.C.,

Defendants.

Civil Action No.: CV-S-02-1287-RLH (RJJ)

PLAINTIFFS' MOTION FOR ENTRY OF
JUDGMENT ON A SEPARATE
DOCUMENT

(Pursuant to Fed. R. Civ. P. 58(d))

Pursuant to Fed. R. Civ. P. 58(d), Plaintiffs Caesars World, Inc. and Park Place Entertainment Corporation request that this Court enter judgment in this matter on a separate document as required by Fed. R. Civ. P. 58(a)(1).

...

...

...

...

1 This motion is based on the following Memorandum of Points and Authorities, as well as all
2 papers and pleadings on file in this matter.

3 DATED this 3rd day of March, 2003.

4 JONES VARGAS

5
6 By: 

GARY R. GOODHEART, ESQ.
Nevada Bar No. 001203
PATRICK A. ROSE, ESQ.
Nevada Bar No. 005109
3773 Howard Hughes Parkway
Third Floor South
Las Vegas, Nevada 89109
Attorneys for Plaintiffs

11 AND

12 STEPHEN W. FEINGOLD
13 RICHARD H. BROWN, ESQ.
14 Pitney, Hardin, Kipp & Szuch LLP
15 685 Third Avenue
New York, New York 10017-4024
Co-Counsel for Plaintiffs

16 **MEMORANDUM OF POINTS AND AUTHORITIES**

17 Rule 58(d) of the Federal Rules of Civil Procedure provides that “[a] party may request that
18 judgment be set forth on a separate document as required by Rule 58(a)(1).” Rule 58(a)(1) requires
19 that “[e]very judgment and amended judgment must be set forth on a separate document,” except as to
20 orders disposing of certain motions not applicable here. *See* Fed. R. Civ. P. 58(a)(1).¹

21 Rule 58 further provides that “[j]udgment is entered for purposes of these rules” “when the
22 earlier of these events occur:” “(A) when it [judgment] is set forth on a separate document, or (B)
23 when 150 days have run from entry in the civil docket under Rule 79(a).” Fed. R. Civ. P. 58(b)(2)(A)-
24 (3)²; *see also* Fed. R. App. 4(a)(7) (providing same alternative time periods for when a judgment is
25 entered for purposes of appeal).

26
27
28 ¹ This motion and the judgment to be entered do not concern or affect the affidavits to be filed by Plaintiffs
concerning attorneys’ fees and costs.

² Rule 79(a) simply requires the Clerk of Court to keep a civil docket and entered all filed papers on the civil docket.


1 In this case, the Court entered its "Findings of Fact, Conclusions of Law and Judgment" (#65)
2 on February 20, 2003. In order to avoid the unnecessary delay and uncertainty of the 150-day time
3 period, Plaintiffs request that the Court enter its judgment in favor of the Plaintiffs on a separate
4 document, e.g., the Clerk of Court's standard form "Judgment in a Civil Case." A proposed
5 "Judgment in a Civil Case" is attached hereto as Exhibit A. This would allow the 30-day time period
6 to run from the entry of such judgment on a separate document. Additionally, Rule 52(a), pursuant to
7 which this Court entered its findings of fact and conclusions of law, provides that "judgment shall be
8 entered pursuant to Rule 58," which, as shown above, requires a judgment on a separate document.

9 For these reasons, Plaintiffs request that the Court enter its judgment in favor of Plaintiffs on a
10 separate document as required by Fed. R. Civ. 58(a) and in a form similar to that attached hereto as
11 Exhibit A.

12 DATED this 7th day of March, 2003.

13 JONES VARGAS

14
15 By:


16 GARY R. GOODHEART, ESQ.
17 Nevada Bar No. 001203
18 PATRICK A. ROSE, ESQ.
19 Nevada Bar No. 005109
20 3773 Howard Hughes Parkway
21 Third Floor South
22 Las Vegas, Nevada 89109
23 *Attorneys for Plaintiffs*

24 AND

25 STEPHEN W. FEINGOLD
26 RICHARD H. BROWN, ESQ.
27 Pitney, Hardin, Kipp & Szuch LLP
28 685 Third Avenue
New York, New York 10017-4024
Co-Counsel for Plaintiffs

1 **CERTIFICATE OF MAILING**

2 I hereby certify that a copy of the foregoing **PLAINTIFFS' MOTION FOR ENTRY OF**
3 **JUDGMENT ON A SEPARATE DOCUMENT** was served upon the following person(s), at their
4 last known address, by mailing a copy thereof, first class mail, postage prepaid, on this date, March 3,
5 2003, as follows:

6 Andras F. Babero, Esq.
8500 Hillwood Drive, #130
7 Las Vegas, NV 89134

8 Melvin K. Silverman, Esq.
One Gateway Cntr., Ste. 2600
9 Newark, NJ 07102

10
11
12 

13 Erika M. Miller, an employee of
14 JONES VARGAS
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Ex. A

ORIGINAL

FILED RECEIVED
ENTERED SERVED ON

SA 2430 (Rev. 5/85) Judgment/Civil Case RECORD

2003 MAR -3 P UNITED STATES DISTRICT COURT

CLERK US DISTRICT COURT
DISTRICT OF NEVADA

DISTRICT OF

Nevada

BY DEPUTY
CAESARS WORLD, INC. and PARK PLACE
ENTERTAINMENT CORPORATION,

JUDGMENT IN A CIVIL CASE

V.

CYRUS MILANIAN, and THE NEW LAS VEGAS
DEVELOPMENT COMPANY, L.L.C.,

Case Number: CV-S-02-1287-RLH (RJJ)

☐ **Jury Verdict.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

☒ **Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

The Court having entered its Findings of Fact and Conclusions of Law (#65),
IT IS ORDERED AND ADJUDGED that Judgment is entered in favor of the Plaintiffs,
Caesars World, Inc. and Park Place Entertainment Corporation, and against
Defendant, Cyrus Milanian.

Date

ROGER L. HUNT, UNITED STATES DISTRICT
COURT JUDGE

(By) Deputy Clerk